



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date: 09.02.2021

Coram::

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

A.S.No.336 of 2010

1. Viswanathan,
2. Loganathan,
3. Venugopal,

... Appellants

/versus/

1. The Land Acquisition Officer and
Special Tahsildar (Land Acquisition)
Housing Scheme No.3,
Coimbatore - 641 018.

2. Karae Gowder,
3. Bommae Gowder,
4. Smt.Chikku Ponni,
5. V.K.Gnanappan,
6. V.K.Chandran,
7. Anusooya,
8. Suganya,
9. V.M.Shanmugham,
10. V.M.Jagadeesan,
11. V.M.Marannan,
12. V.M.Jayabalan,
13. Marudappan,
14. Kappen Gounder,
15. Minor Mahendiran,
16. Minor Mohan,

Minors 15 & 16 rep. by Guardian and Next friend of Father
Subbanna Gounder.

17. Shanmugasundaram,
18. Rathinakumari,
19. Chinnammal,
20. Chinnasamy,
21. Mani,
22. Nagappa Gounder,
23. Minor Bhuvaneswaran,

- Rep. by guardian his mother and next Friend Smt.Anusuya,
24. V.M.Krishnan alias Jothi Gounder,
25. Karuppakkal,
26. Krishnan,
27. Muduppa Gounder,
28. Maadachamy,
29. T.Rajendran,
30. T.Balaraman,
31. K.Rajagopal,

32. T.Selvaraj,
33. Dhandapani,
34. Chandrasekaran (N.T.C),
35. Resariyo alias Jayaraj,
36. A.L.Ramasubramaniam,
37. Samikan,
38. Smt.R.K.Sakunthala,
39. Ananda Padmanabhan,
40. Smt.Annidaicy Reginabai,
41. Karpagam,
42. Subramaniam,
43. Kamalam,
44. Jagadambal,
45. Ramamoorthym,
46. Ragupathi,
47. Parthasarathy,
48. S.Chenniappan,
49. Sundaram,
50. Saraswathi,
51. Dhanammal,
52. Minor Sujatha,
Rep.By Guardian And Mother Bakkiam,
53. Minor Muralidharan,
Rep.By Guardian And Mother Bakkiam,
54. Minor Narmatha,
Rep.By Guardian And Mother Bakkiam
55. Devararajan,
56. Rathinammal,
57. Shanmugham,
58. Durabala,
59. V.D.Natarajan,
60. Sarojini,
61. Chinnasamy,
62. Dhasappan,
63. Ramathal,
64. Ponnusamy,
65. Chidambaram,
66. Nanjappan,
67. Veluchamy,
68. Ramathal,Veerakeralam,
69. Dhanpani,
70. Kittappa Gounder,
71. Ayyasamy,
72. V.V.Ramaraj,
73. K.Manikam,
74. Erre Gounder,
75. P.Saminathan,
76. P.Chinnasamy,
77. Joseph,
78. John,
79. Mariappan,
80. K.Chandrasekaran,

81. P.Subramanian,
82. Subbian,
83. V.Murugan,
84. Durairaj,
85. Rangappan,
86. Ganapathy,
87. T.Genjaiyan,
88. Sundarambal,
89. Rathinammal,
90. Rangammal,
91. Gengaiyan,
92. Sankarapandian,
93. Bakkiam,
94. Kanniappa Gounder,
95. Arumugha Gounder,
96. Ponnammal,
97. Chinnasamy Gounder,
98. Mariammal,
99. Mariappan,
100. A.Murugesan Mudaliar,
101. Ramasamy Gounder,
102. Venkitachalam,
103. Lachumana Gounder,
104. Subramaniam,
105. N.Palanisamy,
106. Karuppanna Gounder,
107. Shanmugham,
108. Krishna Devar,
109. Krishnamoorthy,
110. Anusuya, ... Respondents

Prayer: First Appeal is filed under Section 54 of the Land Acquisition Act 1894, against the judgment and decree of the Learned 1st Additional Subordinate Judge, Coimbatore, dated 12.10.2004 in L.A.O.P.No.1 of 1988.

For Appellants : No appearance
For R1 : Mr.K.Umesh Rao, GA (A.S)

For R6 : Mr.Su.Srinivasan,

For R2, R5 & R7 : No appearance

For R9 to 110 : exparte

For R3 & R4 : died

For R8 : Steps not taken

J U D G M E N T

This appeal is filed by the claimants ranked as 19, 20 & 21 in the petition filed for enhancement of compensation

before the Land Acquisition Tribunal, (Subordinate Court), Coimbatore.

2. The short facts of the case is that, the 1st respondent/Land Acquisition Officer & Special Tahsildar, issued land acquisition proceedings, after complying all the statutory requirements, award was passed, fixing compensation for the land acquired. Since, there was dispute regarding ownership of the land, the award amount was deposited before the Land Acquisition Tribunal under Section 30 of the Land Acquisition Act. The disputing owners were arrayed as respondents 1 to 113. The appellants herein are the respondents 19, 20 & 21 before the Subordinate Court, Coimbatore. The Tribunal has held that the 1st appellant has drawn excess amount than what they are entitled and therefore, they should deposit the excess amount within a period of three months.

3. Aggrieved by that, the present Appeal Suit (A.S.No.336 of 2010) is filed before this Court by the respondents 19, 20 & 21.

4. When the case was listed for final disposal, the Learned Counsel who entered appearance for the appellants reported no instruction. Recording the same, this Court directed the Registry to issue notice to the Appellants. Accordingly, the Registry has taken out notice through post. All the three appellants have received the notice. The Appellant nos.1 & 2 had received notice on 15.12.2020. The 3rd Appellant/Venugopal had received notice on 12.12.2020. Postal acknowledgement card received by the Registry and same is placed in the Court bundle. When the matter is listed today (09.02.2021), there is no appearance for the appellants either in person or through their counsel. Accordingly, the Appeal Suit is dismissed for default. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

bsm

To:-

1.The 1st Additional Subordinate Judge, Coimbatore.

2.The Section Officer,
V.R.Section, High Court, Madras.

A.S.No.336 of 2010

AK I(CO)

GN(09/04/2021)

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